

ESTTA Tracking number: **ESTTA634335**

Filing date: **10/21/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92058543
Party	Plaintiff Edge Games Inc
Correspondence Address	TIM LANGDELL EDGE GAMES INC 530 SOUTH LAKE AVENUE 171, PASADENA, CA 91101 UNITED STATES uspto@edgegames.com, tim@edgegames.com
Submission	Other Motions/Papers
Filer's Name	Tim Langdell
Filer's e-mail	tim@edgegames.com, uspto@edgegames.com
Signature	/Tim Langdell/
Date	10/21/2014
Attachments	LetterToRegistrant21Oct14.pdf(118784 bytes)



Mr Keith A. Barritt, Esq
Fish & Richardson PC
PO Box 1022
Minneapolis
MN 55440-1022

21 October 2014

Via Certified Mail

Copy: Trademark Trial and Appeal Board (Electronically Filed)

**Re: EDGE Trademark Cancellation Action in the U.S.
Cancellation No. 92058543
Issue of Waiver of Initial Disclosure Requirements**

Dear Mr Barritt and The Board:

I refer to your recent communications with ourselves and with the Board regarding Initial Disclosures. Since this topic is pertinent to the current motion before the Board, it is appropriate to clarify the misunderstanding at this stage and file a copy of this with the Board since it is directly relevant to the motion.

In your letter of 24 March 2014 seeking to meet the requirements of a discovery conference, you proposed that the party's dispense with the requirements of initial disclosure. In our reply of 28 March 2014 while we questioned if the initial disclosure requirements should be dispensed with, it was not our intention to refuse your proposal – rather, we clearly asked for a telephonic conference to discuss this and other discovery issues. To be clear, then, Petitioner did not, and does not, reject your proposal to dispense with the requirements of initial disclosure. Indeed, to be clear, we *agree* with Registrant's proposal to dispense with initial disclosure requirements.

Since we have now clarified that both party's agree to dispense with the initial disclosure requirements, we respectfully submit this point is now moot.

On a related note, we observe that you have refused to participate in further discovery (such as a requested deposition) on the basis that the Board has stayed proceedings. However, confusingly, having argued the proceedings are stayed you then sent to us various discovery requests dated two days after the stay was put in place. We thus presume we should ignore these requests, but in copying this letter to the Board we also respectfully ask the Board to intervene to clarify if the parties are in error about the nature of the current stay as it pertains to inter-party discovery.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Edge Games, Inc.", written over a horizontal line.

EDGE Games, Inc.,

530 South Lake Avenue, 171, Pasadena, California, 91101
T: 626 449 4EDGE F: 626 844 4EDGE W: www.edgegames.com

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petitioner's letter to Registrant dated 21 October 2014 in respect to Cancellation proceeding No. 92058543 was served on Registrant via first class mail, certified, postage prepaid, this day October 21, 2014:

Keith A Barritt
Fish & Richardson PC
PO Box 1022
Minneapolis
MN 55440-1022

/Tim Langdell/
Rev Dr Tim Langdell